REMARKS

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested. Claims 11-12, 23-24, and 26 have been canceled. Claims 1-6, 9, 13-22, 25, and 27 have been amended. Claims 1-10, 13-22, 25, and 27 are currently pending in the application.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

In the Office Action, the Examiner rejected claims 13-24 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 23 and 24 have been canceled. With regard to claims 13-22, without any admission as to the merits of the Examiner's rejection but rather in the interest of furthering prosecution, Applicants have amended each of the claims to replace each instance of "computer readable medium" with "computer readable storage medium". Applicants believe that these amendments address the Examiner's concerns. Therefore, Applicants request that this rejection be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

In the Office Action, the Examiner rejected claims 1, 11, 13, 25, and 26 under 35 U.S.C. §102(b) as being anticipated by Spilo et al. (U.S. Patent No. 6,064,811). Claims 11 and 26 have been canceled. Claims 1, 13, and 25 have been amended to claim the invention more distinctly.

Claim 1

Claim 1 has been amended, and as amended, now recites:

A method comprising:
establishing a global zone, wherein the global zone is a global operating system environment that can support execution of one or more processes;
establishing a non-global zone within the global zone, wherein the non-global zone is a partition of the global operating system environment, wherein the non-global zone operates as a separate and distinct operating system environment, and wherein the non-global zone can support execution of one or more processes;
isolating a first process executing within the non-global zone to the non-global zone so that the first process does not have visibility or access to processes and objects that are not associated with the non-global zone;
permitting a second process executing within the global zone to have visibility and access to processes and objects associated with the global zone; and
permitting the second process executing within the global zone to have access to processes and objects associated with the non-global zone, if the second process has a privilege to cross zone boundaries.

Claim 1 has been amended to make it more clear that: (1) the global zone is a global operating system environment that can support execution of one or more processes; (2) the non-global zone is a partition of the global operating system environment that operates as a separate and distinct operating system environment to support execution of one or more processes; (3) the non-global zone is established within the global zone; and (4) a first process executing within the non-global zone is isolated to the non-global zone so that the first process does not have visibility or access to processes and objects that are not associated with the non-global zone. These amendments are amply supported by the Specification (see, e.g. paragraphs 0038-0039, Fig. 1, Figs. 2A-2C, etc.).

Such a method is neither disclosed nor suggested by Spilo. At least several points should be noted. First of all, note that Spilo does not in any way disclose or suggest establishing a global zone that is a global operating environment that can support execution of one or more processes. Further, Spilo does not disclose or suggest establishing a non-global zone that is a partition of the global operating system environment that operates as a separate and distinct operating system environment to support execution of one or more processes. In Spilo, there is no discussion of establishing operating system environments at all. Instead,

Spilo discloses the establishment of distinct memory partitions. For example, Spilo teaches a global DOS memory partition 12 (Fig. 1 of Spilo), and upper memory partitions 14 and 16. While these memory partitions may be used to execute code to establish operating system environments, they are in no way operating system environments themselves. There is absolutely nothing in Spilo that discloses or suggests establishing separate operating system environments.

Another point to note is that unlike the method of claim 1 in which the non-global zone is established within the global zone, there is nothing in Spilo that teaches or suggests establishing a non-global zone within a global zone. In the Office Action, the Examiner interpreted the global DOS memory partition 12 of Spilo to be the global zone of claim 1, and interpreted the upper memory partitions 14 and 16 to be the non-global zone of claim 1. Under this interpretation, it is clear that Spilo does not teach or suggest establishing a non-global zone within a global zone. As shown clearly by Fig. 1 of Spilo, the upper memory partitions 14 and 16 are not established within the global DOS memory partition 12. Rather, they are established outside of the global DOS memory partition 12 as separate partitions. There is nothing in Spilo that discloses or suggests that the upper memory partitions 14 and 16 be established within the global DOS memory partition 12. Thus, this aspect of claim 1 is clearly not taught or suggested by Spilo.

Yet another point to note is that unlike the method of claim 1 in which a first process executing within the non-global zone is isolated to the non-global zone, there is nothing in Spilo that teaches or suggests isolating a process to a non-global zone so that the process does not have visibility or access to processes and objects that are not associated with the non-global zone. As noted above, the Examiner interpreted the upper memory partitions 14 and 16 to be the non-global zone of claim 1. Under this interpretation, it is clear that Spilo neither

discloses nor suggests isolating a process to a non-global zone. Specifically, there is absolutely nothing in Spilo that discloses or suggests that a process having some code in an upper memory partition be prevented from viewing or accessing processes or objects that are not in that upper memory partition. Since Spilo does not disclose or suggest isolating a process to a non-global zone, this aspect of claim 1 is clearly not taught.

As shown by the above discussion, Spilo fails to disclose or suggest at least several aspects of claim 1. Consequently, Applicants submit that claim 1 is patentable over Spilo, and ask that this rejection be withdrawn.

Claims 13 and 25

Claim 13 is a computer readable storage medium counterpart of claim 1. Applicants submit that claim 13 is patentable over Spilo for at least the reasons given above in connection with claim 1.

Claim 25 is an apparatus counterpart of claim 1. Applicants submit that claim 25 is patentable over Spilo for at least the reasons given above in connection with claim 1.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

In the Office Action, the Examiner rejected claims 2-10, 12, 14-24, and 27 under 35 U.S.C. §103(a) as being unpatentable over Spilo in view of Mattson (EP0389151). Claims 12 and 23-24 have been canceled. With regard to the other claims, this rejection is respectfully traversed.

Claims 2-10 depend from claim 1 and claims 14-22 depend from claim 13. Thus, if it can be shown that claims 1 and 13 are patentable over Spilo and Mattson, then it logically follows that claims 2-10 and 14-22 are likewise patentable over Spilo and Mattson.

Claim 1

As argued above, Spilo taken individually fails to disclose or suggest at least several aspects of claim 1. Specifically, Spilo fails to disclose or suggest at least: (1) establishing a global zone that is a global operating environment that can support execution of one or more processes; (2) establishing a non-global zone that is a partition of the global operating system environment that operates as a separate and distinct operating system environment to support execution of one or more processes; (3) establishing the non-global zone within the global zone; and (4) isolating a process executing within the non-global zone to the non-global zone so that the process does not have visibility or access to processes and objects that are not associated with the non-global zone.

Mattson also fails to disclose or suggest at least these same aspects. Instead, Mattson discloses a mechanism for implementing multiple partitions of cache memory. There is nothing in Mattson's mechanism that: (1) establishes a global zone that is a global operating environment that can support execution of one or more processes; (2) establishes a non-global zone that is a partition of the global operating system environment that operates as a separate and distinct operating system environment to support execution of one or more processes; (3) establishes the non-global zone within the global zone; and (4) isolates a process executing within the non-global zone to the non-global zone so that the process does not have visibility or access to processes and objects that are not associated with the non-global zone.

Since neither reference discloses or suggests at least these aspects of claim 1, even if the references were combined (assuming for the sake of argument that it would have been obvious to combine the references), they still would not produce the method of claim 1.

Consequently, Applicants submit that claim 1 is patentable over Spilo and Mattson, taken individually or in combination.

Since claim 1 is patentable over Spilo and Mattson, it follows that claims 2-10, which depend from claim 1, are likewise patentable over Spilo and Mattson for at least the reasons given above in connection with claim 1.

Claim 13

Claim 13 is a computer readable storage medium counterpart of claim 1. Applicants submit that claim 13 is patentable over Spilo and Mattson for at least the reasons given above in connection with claim 1.

Since claim 13 is patentable over Spilo and Mattson, it follows that claims 14-22, which depend from claim 13, are likewise patentable over Spilo and Mattson for at least the reasons given above in connection with claim 13.

Claim 27

Claim 27 is a system counterpart of claim 1. Applicants submit that claim 27 is patentable over Spilo and Mattson for at least the reasons given above in connection with claim 1.

CONCLUSION

For the reasons set forth above, Applicants respectfully submit that all of the pending claims are patentable over the art of record, including the art cited but not applied. Accordingly, allowance of all pending claims is hereby respectfully solicited.

The Examiner is invited to telephone the undersigned at (408) 414-1080 to discuss any issues that may advance prosecution.

No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

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Date: September 28, 2007

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CERTIFICATE OF TRANSMISSION VIA EFS-WEB

Pursuant to 37 C.F.R. 1.8(a)(1)(ii), I hereby certify that this correspondence is being transmitted to the United States Patent & Trademark Office via the Office electronic filing system in accordance with 37 C.F.R. §§1.6(1)(4) and 1.8(a)(1)(i)(C) on the date indicated below and before 9:00 PM PST.

Submission date: September 28, 2007 by /BobbyKTruong#37499/